

Deval L. Patrick
Governor

Andrea J. Cabral
Secretary

The Commonwealth of Massachusetts
Department of Public Safety

Architectural Access Board
One Ashborton Place, Room 1310
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Thomas G. Gatzunis, P.E.
Commissioner

Thomas P. Hopkins
Director

TO: Local Building Inspector
Local Disability Commission
Independent Living Center

Docket Number **V 14 087**

FROM: ARCHITECTURAL ACCESS BOARD

RE: **Concord Acton Squash Club**
29 Knox Trail
Acton

Date: **5/2/2014**

Enclosed please find the following material regarding the above location:

___ Application for Variance

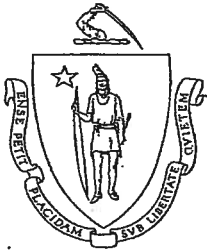
☒ Decision of the Board *w/ Conditions*

___ Notice of Hearing

___ Correspondence

___ Letter of Meeting

The purpose of this memo is to advise you of action taken or to be taken by this Board. If you have any information which may assist the Board in reaching a decision in this case, you may call this office or you may submit comments in writing.



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NOTICE OF ACTION

RE: Concord Acton Squash Club, 29 Knox Trail

1. A request for a variance was filed with the Board by Paul Ansdell, **Acton**
The applicant has requested variances from the following sections of the 06 Rules and Regulations of the Board. (Applicant) on March 28, 2014

| <u>Section:</u> | <u>Description:</u> |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.3.4 | Petitioner seeks relief to decommission the existing vertical wheelchair lift due to the fact that the key locking mechanism has been ordered to be removed by the Elevator Board and its Inspector. |

2. The application was heard by the Board as an incoming case on Monday, April 28, 2014

3. After reviewing all materials submitted to the Board, the Board voted as follows:

DENY: the variance request to Section 3.3.4 seeking permission to decommission the existing vertical wheelchair lift, as proposed in the application submitted, for the reason that impracticability (see definitions of impracticability in Section 5 of 521 CMR) has not been proven in this case.

In addition, The Board ordered that an amendment to your application be submitted no later than June 13, 2014 for the Board to review at its June 30, 2014 meeting requesting the use of an alternate locking mechanism such as a swipe card or touch pad locking devise.

PLEASE NOTE: All documentation (written and visual) verifying that the conditions of the variance have been met must be submitted to the AAB Office as soon as the required work is completed.

Any person aggrieved by the above decision may request an adjudicatory hearing before the Board within 30 days of receipt of this decision by filing the attached request for an adjudicatory hearing. If after 30 days, a request for an adjudicatory hearing is not received, the above decision becomes a final decision and the appeal process is through Superior Court.

Date: May 2, 2014

cc: Local Disability Commission
Local Building Inspector
Independent Living Center

Walter White T.H.
Chairperson
ARCHITECTURAL ACCESS BOARD



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(Office Use Only)

REQUEST FOR ADJUDICATORY HEARING

RE: _____
Name and address of building as appearing on application for variance

I, _____, do hereby request that the Architectural Access Board
conduct an informal Adjudicatory Hearing in accordance with the provisions of 801 CMR Rule 1.02 et.
seq. as I am aggrieved by the decision of the Board with respect to Section(s) _____
of the Rules and Regulations of the Architectural Access Board, 521 CMR.

I understand that I may request such a hearing within **thirty (30) days** of receipt of the Notice of Action.

Date: _____

Signature

PLEASE PRINT:

Name

Address

City/Town State Zip Code

E-mail

Telephone

PLEASE NOTE:

This form must be received by the Board **within thirty (30) days** after receipt of the Notice of Action.